
STATUTORY INSTRUMENTS

2003 No. 417

**The Protection of Children and Vulnerable
Adults (Northern Ireland) Order 2003**

PART IV

SOCIAL CARE TRIBUNALS

Social Care Tribunals

50.—(1) Part V of the [Registered Homes \(Northern Ireland\) Order 1992 \(NI 20\)](#) (Social Care Tribunals) shall have effect subject to the following provisions.

(2) Articles 30, 31, 33 and 34 of that Order (constitution, functions and procedures of Social Care Tribunals) shall apply in relation to—

- (a) an appeal or determination under Article 11, 12, 13, 27, 28, 42, 43 or 44;
- (b) an appeal under regulations made under Article 18; and
- (c) an appeal or review under regulations made under Article 70 or 88A of the Education and Libraries (Northern Ireland) Order 1986 by virtue of Article 15,

as they apply in relation to an appeal mentioned in Article 30(1) of that Order.

(3) Rules made under Article 33 of that Order in relation to any appeal or determination mentioned in paragraph (2)(a) or (b) may, in particular, include provision—

- (a) as to the manner in which appeals are to be instituted or applications for determinations are to be made;
- (b) as to the period within which appeals are to be instituted;
- (c) as to the circumstances in which applications for leave may be made;
- (d) for enabling any functions which relate to applications for leave or other matters preliminary or incidental to an appeal or determination to be performed by the chairman;
- (e) for the holding of hearings in private in specified circumstances;
- (f) for imposing reporting restrictions in specified circumstances;
- (g) as to the persons who may appear on behalf of the parties;
- (h) for granting any person such discovery or inspection of documents or right to further particulars as might be granted by a county court;
- (i) for obtaining a medical report in a case where the decision appealed against was made on medical grounds;
- (j) for requiring persons to attend to give evidence and produce documents;
- (k) for authorising the administration of oaths to witnesses;
- (l) for the determination of appeals or issues or applications for leave without a hearing in specified circumstances;
- (m) as to the withdrawal of appeals or applications for determinations;

- (n) for the award of costs;
 - (o) for taxing or otherwise settling any such costs (and, in particular, for enabling such costs to be taxed in the county court);
 - (p) for the recording and proof of decisions and orders of the Tribunal;
 - (q) for enabling the Tribunal to review its decisions, or revoke or vary its orders, in such circumstances as may be determined in accordance with the rules; and
 - (r) for notification of the result of an appeal or determination to be given to such persons as may be specified.
- (4) In paragraph (3) “specified” means specified in the rules.
- (5) The rules may also include provision for enabling the Tribunal to make investigations for the purposes of a determination under Article 12, 13, 43 or 44; and the provision that may be made by virtue of paragraph (3)(j) and (k) includes provision in relation to such investigations.
- (6) Any person who without reasonable excuse fails to comply with—
- (a) any requirement imposed by the rules by virtue of paragraph (3)(f);
 - (b) any requirement in respect of the discovery or inspection of documents imposed by the rules by virtue of paragraph (3)(h); or
 - (c) any requirement imposed by the rules by virtue of paragraph (3)(j),
- is liable on summary conviction to a fine not exceeding level 3 on the standard scale.